

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE SIXTEENTH DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE B.PRAKASH RAO

WRIT PETITION NO.913 of 1999

Between:

B.Ramana, S/o.late Sri Lalu, 33 years, Research Scholar, r/o.J.N.T.U.Hostel, New
Delhi.

...PETITIONER

AND

University of Hyderabad, rep.by its Registrar, Gatchibowli, Hyderabad.

...RESPONDENT

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue an appropriate writ, order or direction more particularly a Writ in the nature of Mandamus, declaring the action of the respondent in rejecting the petitioner's candidature for appointment as Systems Manager through his proceedings dated 09.11.1998 as being illegal, arbitrary and consequently direct the respondent to appoint the petitioner as Systems Manager in their organization.

Counsel for the Petitioner: MR.S.SHARAT KUMAR

Counsel for the Respondent: MR.C.V.NAGARJUNA REDDY

The Court made the following:

THE HON'BLE MR JUSTICE B.PRAKASH RAO

WRIT PETITION NO.913 of 1999

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ORDER:

The petitioner herein is one of the candidates, who applied to the post of Systems Manager in the respondent-University in pursuance of the notification issued by the respondent, files this Writ Petition, *inter alia*, seeking a Writ of Mandamus, declaring the proceedings dated 09.11.1998 rejecting his candidature as illegal.

The case of the petitioner is that he is fully qualified and entitled to select him to the post of Systems Manager. Even though the petitioner had appeared in the interview and done well, still he has not been selected nor any appointment order has been given to him. Further, another lady candidate who belongs to Scheduled Tribe Community appeared on the same day and she was selected even though she was not having necessary qualifications. Hence, he filed the present Writ Petition.

Considering the submissions made and also on perusal of the material available on record, the impugned order speak themselves that the petitioner's candidature could not be considered since he was not selected. Having applied in pursuance of the notification along with others and not being selected by the authorities, the petitioner

cannot claim nor did he has any such enforceable right to enforce the jurisdiction under Article 226 of the Constitution of India. Hence, I do not find any merits in the Writ Petition.

Accordingly, the Writ Petition is dismissed.

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(B.PRAKASH RAO, J)

16th December 2004

RRB

ASSISTANT REGISTRAR

//True Copy//

SECTION OFFICER

Copy To:

1. The Registrar, University of Hyderabad, Gatchibowli, Hyderabad.

2. Two CD copies.